BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting

July 6, 2010

<u>Call to Order</u> A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 1:02 P. M., Tuesday, July 6, 2010, in the Board Chambers, Stafford County Administration Center.

Roll Call The following members were present: Mark Dudenhefer, Chairman; Paul V. Milde III, Vice Chairman; Harry E. Crisp II; Gary F. Snellings; Cord A. Sterling; Susan B. Stimpson; and Robert "Bob" Woodson.

Also in attendance were: Anthony Romanello, County Administrator; Joe Howard, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff and interested parties.

<u>Legislative</u>; Presentation of a Proclamation Recognizing the Anniversary of the <u>Americans with Disabilities Act on July 26, 2010</u> Mr. Dudenhefer read the proclamation.

Legislative; Presentations by the Public

Ruth Carlone - Comprehensive Plan
 Patricia Kurpiel - Comprehensive Plan
 Alane Callander - Comprehensive Plan

Tennie Gratz - Upcoming Anniversary of ADA

<u>Legislative</u>; <u>Presentations and Committee Reports by Board Members</u> Board members spoke on topics as identified:

Mr. Crisp - Development Fees and Review Process Committee

July 4th festivities at Ferry Farm

- Rappahannock River Basin

Mr. Milde - Chaplin Group Home

PRTC

VRE meeting

- Development Fees and Review Process Committee

- NAACP Gala

- BRAC

Mr. Snellings - Thanked everyone for their thoughts and prayers

during his surgery and recovery and commented on

the importance of checkups and colonoscopies.

Mr. Sterling - Deferred

Ms. Stimpson - Stafford High School graduation

- DARE Day

- NAACP Gala

- Commented on the passing of Krystyna Locke.

Mr. Woodson - Commented on Virginia's share of stimulus funds.

Mr. Dudenhefer - Commented on the importance of getting medical

checkups and how it could save your life.

<u>Legislative</u>; Report of the County Attorney Mr. Joe Howard, County Attorney, noted that there would be an additional item for discussion in Closed Meeting.

Legislative; Report of the County Administrator Mr. Anthony J. Romanello, County Administrator, reported that the Finance and Budget office received a GFOA Certificate of Excellence and recognized staff members from the Department. The Department of Defense presented the County with a certificate for its support of the armed services, which was accepted by Mr. Romanello on behalf of the Board. Mr. Romanello also displayed a donation/check from Dominion Virginia Power for Stafford County's Safety Net program. Mr. Romanello also added Item 29 - Discuss Support of Hot Lanes, and Item 30 - Discuss Zoning Text Amendment (Proposed Resolution R10-222).

<u>Legislative</u>; <u>Additions and Deletions to the Regular Agenda</u> Mr. Sterling motioned, seconded by Mr. Woodson, to accept the additions to the Regular Agenda.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Crisp, Dudenhefer, Milde, Snellings, Stimpson

Nay: (0)

<u>Legislative</u>; <u>Consent Agenda</u> Ms. Stimpson motioned, seconded by Mr. Milde, to approve the Consent Agenda consisting of Items 1 through 19, omitting Items 4, 5, 8, 12, 15 and 18e.

The Voting Board tally was:

Yea: (7) Stimpson, Milde, Sterling, Crisp, Dudenhefer, Snellings, Woodson

Nay: (0)

Item 1. Legislative; Approve Minutes of June 15, 2010 Board Meeting

<u>Item 2. Finance and Budget; Approve Expenditure Listing</u>

Resolution R10-211 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED JUNE 15, 2010 THROUGH JULY 5, 2010

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July 2010 that the above-mentioned EL be and hereby is approved.

Item 3. Utilities; Waive Mandatory Sewer Connections for Tyler Estates Subdivision

Resolution R10-195 reads as follows:

A RESOLUTION TO WAIVE MANDATORY SEWER CONNECTIONS FOR TYLER ESTATES SUBDIVISION

WHEREAS, Stafford County Code, Section 25-71, requires that subdivisions inside the Urban Service Area utilize the public water and sewer systems; and

WHEREAS, the Tyler Estates subdivision is inside the Urban Service Area; and

WHEREAS, Section 25-71 provides a waiver process for applications submitted prior to May 3, 2007; and

WHEREAS, the owner of the Tyler Estates subdivision submitted his application prior to May 3, 2007 and has requested a waiver from the mandatory sewer requirements; and

WHEREAS, the Tyler Estates subdivision meets the guidelines for a waiver contained in Section 25-71 of the County Code;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that the requirements to utilize the public sewer system for the Tyler Estates subdivision be and they hereby are waived.

Item 6. Utilities; Authorize a Public Hearing to Vacate a Sanitary Sewer Easement on parcels 30TT I-28, 30TT I-29, and 30TT I-D

Resolution R10-201 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO DISCUSS VACATING A SANITARY SEWER EASEMENT ON PARCELS 30TT 1-28, 30TT 1-29 AND 30TT 1-D

WHEREAS, the Board has the authority to approve the vacation of public easements within Stafford County; and

WHEREAS, the owner of parcels 30TT 1-28, 30TT 1-29 AND 30TT 1-D desires the easement for a sanitary sewer be vacated in the manner shown; and

WHEREAS, the easement is no longer needed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6^{th} day of July 2010, that the County Administrator be and he hereby is authorized to advertise for a public hearing for the purpose of vacating a sanitary sewer easement.

Item 7. Public Works; Authorize Installation of Watch for Children Signs on Sarasota

Drive (SR 1688) and Savannah Court (SR 1689) in the Manors of Park Ridge

Subdivision

Resolution R10-192 reads as follows:

A RESOLUTION TO INSTALL WATCH FOR CHILDREN SIGNS ON SARASOTA DRIVE (SR-1688) AND SAVANNAH COURT (SR-1689) IN THE MANORS OF PARK RIDGE SUBDIVISION

WHEREAS, the Board is concerned with transportation safety on residential streets; and

WHEREAS, the Board adopted the Residential Traffic Management Plan (RTMP) on February 19, 2008 to provide Stafford County citizens with various programs to address their traffic related concerns; and

WHEREAS, The Manors of Park Ridge Homeowners Association has requested the installation of *Watch for Children* signs along Sarasota Drive and Savannah Court; and

WHEREAS, the proposed locations meet the required criteria for installation, based on the current Residential Transportation Management Plan, Watch for Children Sign Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July 2010, that the Board be and it hereby does approve the installation of *Watch for Children* signs at the intersections of Sarasota Drive (SR-1688) and Hampton Park Road (SR-751), Sarasota Drive (SR-1688) and Eustace Road (SR-751), and Savannah Court (SR-1689) and Hampton Park Road (SR-751); and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the VDOT Area Maintenance Manager.

Item 9. Legislative; Board of Supervisors Expense Reimbursement Policy

Resolution R10-207 reads as follows:

A RESOLUTION DEFINING DIRECT VENDOR PAYMENTS AND EXPENSE REIMBURSEMENTS FOR THE STAFFORD COUNTY BOARD OF SUPERVISORS

WHEREAS, the Board wishes to establish a fair and equitable policy for direct vendor payments and for reimbursement of necessary and reasonable expenses;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that it hereby does agree that each Board member will attest that vendor payments made on their behalf and expenses submitted for reimbursement are directly related to County business. Allowable payments and expenses

include mobile and land-line telephones, internet/fax services, office supplies, mileage, training and representational expenses. The County Administrator shall process reimbursements only if appropriated funding is available in the Board of Supervisors' budget; and

BE IT FURTHER RESOLVED that each Board member also agrees that overnight travel on County business requires advance approval by the Chairman and sufficient appropriated funding in the Board of Supervisors' budget.

<u>Item 10.</u> Finance and Budget; Amend Principles of High Performance and Financial <u>Management</u>

Resolution R10-208 reads as follows:

A RESOLUTION TO AMEND THE PRINCIPLES OF HIGH PERFORMANCE FINANCIAL MANAGEMENT

WHEREAS, it is the desire of the Board to prudently manage the County's resources and this policy shall provide the guidelines; and

WHEREAS, the Board has reviewed and updated the "Principles of High Performance Financial Management" to reflect current County needs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010 that the "Principles of High Performance Financial Management", as contained herein, be and they hereby are adopted.

The Stafford County Board of Supervisors hereby establishes its *Principles of High Performance Financial Management* to prudently manage the people's resources through:

- Accountable and transparent allocation of resources;
- Planned strategic use of financial resources to ensure sustainability;
- Maintaining and upgrading the County's bond ratings; and
- Balanced tax burden from residential and commercial sources.

Debt Limitations

- General obligation debt shall not exceed 4.5% 3.5% of the assessed valuation of taxable real property, with a goal to reach 3% by July 1, 2015.
- General fund debt service expenditures (County and Schools) shall not exceed 12% 11% of the general government budget, with a goal to reach 10% by July 1, 2015.
- Capital lease debt service shall not exceed 2% of the general government budget with 2/3 allocated to the Schools and 1/3 allocated to the County. Capital lease debt may only be used if the following four criteria are met:
 - 1. Capital lease purchase is eligible under state law for such financing;

- 2. Useful life of the purchase equals or exceeds the term of the debt;
- 3. Total purchase exceeds \$100,000; and
- 4. Sufficient funds are available to service the capital lease debt.

Capital Improvement Program (CIP) and Bonded Debt Service Affordability Guidelines

- A five-year CIP allocating capital improvement funds between the Schools and General Government will be adopted annually.
- <u>Debt-funded CIP</u> projects will be no less than \$500,000 each <u>and will have a</u> useful life that meets or exceeds the life of any debt issuance.
- Capital Improvement projects are items for which the purchase, construction, renovation, expansion, or the acquisition represents a public betterment and adds to the total physical worth of Stafford. Projects include, but are not limited to, expenditures for land, new structures, major repairs and renovations; maintenance of existing real property; and expenditures for machinery, equipment and vehicles. Each project should have a total cost of \$500,000 or more. Like projects can be combined when appropriate to meet the cost criteria. Scope of project includes all professional services (land acquisition, legal, planning, design) and construction costs.

Each year's available debt service will be established by increasing the prior year's actual debt service by the percentage of general fund revenue changes averaged over the last 5 years.

UNDESIGNATED Unassigned Fund Balance

- The County shall maintain an <u>undesignated unassigned</u> fund balance that is not less than 10% 11% of annual general fund revenues by July 1, 2010, with the goal that it will be increased to 12% by July 1, 2015. Use of the <u>undesignated unassigned</u> fund balance below this amount will be restricted to only significant unexpected declines in revenues or unanticipated emergency expenditures. Following any use of <u>undesignated unassigned</u> fund balance, the County will replenish the <u>undesignated unassigned</u> fund balance within three fiscal years.
- Any amount in excess of the minimum unassigned fund balance will be assigned to these reserves, according to the following hierarchy and formulas:
 - 1. Revenue Stabilization Reserve ½ of 1% of General Fund revenues;
 - 2. Capital Projects Reserve \$1,500,000;
 - 3. Stafford Opportunity Fund Reserve \$500,000; and
 - 4. <u>Any remaining monies available after the reserves are fully funded</u> will go to the Capital Projects Reserve.
- Stafford County does not intend to establish a trend of using Fund Balance to finance current operations. As a nonrecurring source of revenue, any balance not needed for liquidity or financial cushion as noted above will be spent solely for nonrecurring uses. After the yearly audit and confirmation of fund balances by the County's external auditor, and in consideration of current financial conditions, the Board of Supervisors may allocate amounts in excess of the minimum undesignated unassigned fund balance for encumbrances and commitments.
 - 1. The School Operating Fund unspent unreserved (available) balance may be reappropriated annually to the School Board for capital, start up or other nonrecurring expenditures.

2. The County Operating Fund unspent unreserved (available) balance may be reappropriated annually to County departments for capital, start up or other nonrecurring expenditures.

General Fund Budget Guidelines

- Stafford will prepare and approve an annual budget with multi-year projections. The County will annually adopt and execute a budget for such funds as may be required by law or by sound financial practices and generally accepted accounting principles. The budget shall control the levy of taxes and the expenditure of money for all County purposes during the ensuing fiscal year. The County budget shall be balanced within all available operating revenues, including fund balance, and adopted by the Board of Supervisors.
- Each year as part of the budget process, five year projections of revenues and expenditures will be prepared.
- Stafford County does not intend to issue tax or revenue anticipation notes to fund operations. The County intends to manage cash to prevent borrowing to meet cash flow needs.
- The school's share of the general government revenues will be 100% of meals tax revenues and an appropriate amount to ensure a globally competitive school system. The school operating transfer will be the difference between the school's share of general government revenues and school-related bonded and lease debt service.
- An amount equivalent to 1% of general fund expenditures will be set aside for pay-as-you-go capital projects.
- An amount equivalent to ½% of general government expenses will be set aside for the operating budget contingency reserve

Budget & Finance Finance, Audit & Budget Committee

• The Chairman of the Board of Supervisors will appoint a Budget & Finance Finance, Audit & Budget Committee each year.

Budget Reviews

On a monthly basis, staff will provide written budget reports to the Board of Supervisors. Additionally, staff will provide quarterly budget and finance presentations at meetings of the Board of Supervisors.

<u>Tax Trigger Provisions</u>

• General revenue increases that exceed revenue forecasts, and are not accompanied by additional costs in the annual budget process, provide a trigger to reduce the real estate tax rate.

Periodic Policy Review

The Board of Supervisors will review this policy no less than once every two years.

Budget Procedures/Calendar

Month	Procedure
October	Work Session Preliminary prior year balances Ist quarter review of fiscal year Preliminary budget overview to include: Revenue projection with no increase in equalized tax Expenditures with no new initiatives other than required Information on new revenues and expenditures Budget calendar BOS/School Board Joint work session
November	Feedback/Consensus/Guidance from the Board Board priorities/Performance standards Proposed CIP work session
December	Public Hearing and adoption of CIP Audit Report
January	Work Session Final prior year balances Mid-year review Revenue trends for upcoming budget Feedback from Board
February	Receive Superintendent's Recommended Budget
March	Receive School Board's Budget by March 7th
March, 1 st meeting March, 2 nd meeting	County Administrator presents Proposed Budget Budget work session
April, 1 st meeting April, 2 nd meeting April, 3 rd meeting	Budget work session Budget work session & public hearing Adopt budget

<u>Item 11. Human Resources; Authorize Implementation of the Employee Incentive</u> Program

Resolution R10-210 reads as follows:

AUTHORIZE THE COUNTY ADMINISTRATOR TO IMPLEMENT THE CREATIVE SOLUTIONS AND INNOVATIONS – EMPLOYEE INCENTIVE PROGRAM

WHEREAS, the Board and staff are continually challenging themselves to think innovatively and creatively; and

WHEREAS, the Board wishes to encourage efficiency and resourcefulness within County government; and

WHEREAS, the Board wishes to recognize the efforts of employees who have helped the County to become more efficient through creative and innovative thinking; and

WHEREAS, the Creative Solutions and Innovations/Employee Incentive Program is established to reward employees for innovative and creative suggestions; and

WHEREAS, the program will be funded through cost savings generated through employee innovation and there will be no cost to the County for the program; and

WHEREAS, the Board discussed the Employee Incentive Program at a work session held on June 15, 2010, and expressed a commitment to and support of the Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that it be and hereby does authorize the County Administrator to implement the Creative Solutions and Innovations-Employee Incentive Program.

Item 13. Parks, Recreation and Community Facilities; Authorize Contract for Security Services at the County Administration Center

Resolution R10-212 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO RENEW A CONTRACT FOR SECURITY SERVICES AT THE COUNTY ADMINISTRATION CENTER

WHEREAS, security services are needed at the County Administration Center; and

WHEREAS, it is time to renew the current contract with Securitas Security Services, USA, Inc.; and

WHEREAS, funds are available in the FY2011 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that the County Administrator be and he hereby is authorized to renew the contract with Securitas Security Services, USA, Inc., in an amount not to exceed One Hundred Twenty-eight Thousand Five Hundred Twenty Dollars (\$128,520).

Item 14. Parks, Recreation and Community Facilities; Authorize an Extension of Contract for Custodial Services for County Facilities

Resolution R10-213 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO RENEW A CONTRACT FOR CUSTODIAL SERVICES AT VARIOUS COUNTY FACILITIES

WHEREAS, professional custodial services are needed at various County facilities; and

WHEREAS, it is time to renew the current contract with C.C. Building Services; and

WHEREAS, the Contractor has agreed to offer the County the same rates as the previous year; and

WHEREAS, funds are available in the FY2011 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that the County Administrator be and he hereby is authorized to renew the contract with C. C. Building Services in an amount not to exceed Two Hundred Forty-nine Thousand One Hundred Eighty-one Dollars (\$249,181).

<u>Item 16.</u> Finance and Budget; Authorize the County Administrator to Exercise the Option to Purchase Property at 53 Shelton Shop Road

Resolution R10-215 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXERCISE THE OPTION TO PURCHASE PROPERTY AT 53 SHELTON SHOP ROAD AND TO BUDGET AND APPROPRIATE CAPITAL RESERVE FUNDS FOR THE PURCHASE

WHEREAS, Teng & Associates, Inc. performed a Feasibility Study of the site of Fire and Rescue Station 14, located at 53 Shelton Shop Road, Tax Parcel No. 19-75, consisting of 4.8 acres of land; and

WHEREAS, the site was determined to be well suited for a single purpose fire and rescue facility; and

WHEREAS, the County currently has an option to purchase the land from its owners, David and Jo Maye for One Million Dollars (\$1,000,000); and

WHEREAS, the Board finds that it is in the public interest to exercise its option to purchase the property at 53 Shelton Shop Road, which is properly located to provide fire and rescue service in this area of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that it be and hereby does budget and appropriate One Million Dollars (\$1,000,000) from Capital Reserves to the Capital

Project Fund for the purchase of the land at 53 Shelton Shop Road for fire and rescue purposes; and

BE IT FURTHER RESOLVED that Intent to reimburse for the purchase of the property at 53 Shelton Shop Road, Tax Parcel No. 19-75, consisting of 4.8 acres of land made out of the Capital Reserve Funds for FY2011 be and it hereby is adopted as follows:

NOTICE OF INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

Section 1: Statement of Intent. The County presently intends, to reimburse for the purchase of the property at 53 Shelton Shop Road, Tax Parcel No. 19-75, consisting of 4.8 acres of land made out of the Capital Reserve Fund for FY2011 with tax-exempt or taxable bonds or other obligations (the "Bonds") and to reimburse capital expenditures paid by Stafford County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Project before the issuance of the Bonds.

<u>Section 2</u>: <u>Source of Interim Financing and Payment of Bonds</u>. Stafford County expects to pay the capital expenditure related to purchase of the property at 53 Shelton Shop Road, Tax Parcel No. 19-75, consisting of 4.8 acres of land and incurred before the issuance of the Bonds with an inter-fund loan or loans from the General Fund or from temporary appropriations or loans from the Capital Reserve Fund. Stafford County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for purchase of the property at 53 Shelton Shop Road, Tax Parcel No. 19-75, consisting of 4.8 acres of land.

<u>Section 3:</u> Effective Date; Public Inspection. This Resolution is adopted for the purposes of complying with Treasury Regulation Section, 1.150-2 or any successor regulation and shall be in full force and effect upon its adoption. The Clerk of the Board shall file a copy of this Resolution in the records of Stafford County available for inspection by the general public during Stafford County's normal business hours; and

BE IT FUTHER RESOLVED that the Board directs the County Administrator to exercise the County's option to purchase the land at 53 Shelton Shop Road at the option price.

Item 17. Public Works; Approve Federal Fiscal Year 2010 Bonus Obligation Program Requests

Resolution R10-216 reads as follows:

A RESOLUTION TO APPROVE FEDERAL FISCAL YEAR 2010 FEDERAL BONUS OBLIGATION PROGRAM PROJECTS

WHEREAS, it is the desire of the Board to take advantage of all available funding for transportation improvements in the County; and

WHEREAS, the County is eligible to receive federal bonus obligation funds on a federal fiscal year (FFY) basis;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that it be and it hereby does indicate its desire to allocate FFY2010 federal bonus obligation program funds in the following manner: Warrenton Road (U. S. Route 17) widening project, VDOT UPC 71774, Five Million Three Hundred Twenty-three Thousand Dollars (\$5,323,000); and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Fredericksburg Area Metropolitan Planning Organization (FAMPO) Administrator and the VDOT District Administrator.

<u>Item 18 (a-d). Public Information; Recognize and Commend:</u>

- a. This item has been deleted.
- b. Anniversary of the Americans with Disabilities Act on 7/26/10

Proclamation P10-19 reads as follows:

A PROCLAMATION TO RECOGNIZE AND CELEBRATE THE 20^{TH} ANNIVERSARY OF THE AMERICAN WITH DISABILITIES ACT

WHEREAS, on July 26, 1990, President George H. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities; and

WHEREAS, this legislation established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and

WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers, changing perceptions, and increasing full participation in community life; and

WHEREAS, the full promise of the ADA will only be fulfilled if public entities remain committed in their efforts to fully implement the ADA; and

WHEREAS, the Board reaffirms the principles of equality and inclusion that formed the foundation upon which the ADA was built;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 6th day of July 2010, that the 20th anniversary of the Americans with Disabilities Act be and it hereby is recognized and celebrated.

c. <u>Patrick McGlade for his 2551-Mile Run across the United States to Raise</u>

Awareness and Funds for Juvenile Rheumatoid Arthritis

Proclamation P10-17 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND STAFFORD RESIDENT PATRICK MCGLADE FOR HIS 2,551-MILE RUN ACROSS THE

UNITED STATES TO RAISE AWARENESS AND FUNDS FOR JUVENILE RHEUMATOID ARTHRITIS

WHEREAS, Juvenile Rheumatoid Arthritis (JRA) is the most common form of arthritis in children, afflicting 300,000 children between the ages of 6 months and 16 years old and causing joint swelling, stiffness and sometimes reduced motion, and in some cases, affecting internal organs; and

WHEREAS, although there is no cure for Juvenile Rheumatoid Arthritis, regular exercise can help children cope with the disease; and

WHEREAS, Patrick McGlade ran the equivalent of a marathon a day beginning on January 1, 2010 in Huntington Beach, California and ending on April 21, 2010 in Tybee Island, Georgia, to raise awareness of and funds for Juvenile Rheumatoid Arthritis; and

WHEREAS, Patrick McGlade also hoped to increase awareness about living a physically fit life, especially for children, and to inspire kids along his route, as they inspired him to keep running; and

WHEREAS, Patrick McGlade raised \$24,000 for Juvenile Rheumatoid Arthritis by running a total of 2,551 miles; and

WHEREAS, although Patrick McGlade's run has ended, he continues to champion the cause to raise awareness and funds for Juvenile Rheumatoid Arthritis and pledges that 100 percent of any contributions he receives will go directly to the Arthritis Foundation;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 6th day of July 2010, that Patrick McGlade be and hereby is recognized and commended for his courage and dedication to helping children with Juvenile Rheumatoid Arthritis.

d. Silver Ridge Farm as the Recipient of the 2008 Bay Friendly Clean Water Award

Proclamation P10-20 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND SILVER RIDGE FARM AS THE RECIPIENT OF THE 2008 BAY FRIENDLY CLEAN WATER FARM AWARD

WHEREAS, the Tri-County/City Soil and Water Conservation District (Tri-County/City SWCD) serves Stafford, King George and Spotsylvania Counties and the City of Fredericksburg; and

WHEREAS, the mission of the Tri-County/City SWCD is to provide technical assistance, educational programs, newsletters and volunteer opportunities to citizens to raise awareness about water quality, nonpoint source pollution and stream health; and

WHEREAS, in cooperation with the Virginia Department of Conservation and Recreation, farmers in each jurisdiction are recognized for employing valuable management practices which conserve precious natural resources; and

WHEREAS, Silver Ridge Farm in Stafford was selected to receive the 2008 Bay Friendly Clean Water Farm Award; and

WHEREAS, Jerry Silver, owner of Silver Ridge Farm, has demonstrated a commitment to the conservation of natural resources through responsible farm nutrient practices including planting ground cover to prevent soil from washing into nearby streams; applying the correct amount of fertilizer; installing fencing to keep cattle away from bodies of water; and establishing smaller fields to better utilize forages and rotational grazing systems; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the environmentally sustainable farming practices adopted by Silver Ridge Farm, and to commend Jerry Silver for the example he sets for other agricultural enterprises throughout the County;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that Silver Ridge Farm be and hereby is commended as the recipient of the 2008 Bay Friendly Clean Water Farm Award.

<u>Item 19. Legislative; Approve Appointment of Jack Rowley as Liaison to the Bay</u> Consortium Workforce Investment Board

<u>Public Works</u>; Award Contract for the Completion of Roads in the Smith Lake Estates Subdivision

Mr. Sterling asked that this item be pulled from the Consent Agenda and questioned funding as it was outlined. Discussion ensued. Mr. Keith Dayton, Director of Public Works, responded to Board members questions.

Mr. Sterling motioned, seconded by Mr. Woodson to adopt proposed Resolution R10-200.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-200 reads as follows:

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO COMPLETE THE STREETS IN THE SMITH LAKE ESTATES SUBDIVISION

WHEREAS, the developer of the Smith Lake Estates subdivision, C. T. Park, Inc. has defaulted on their obligations leaving the public streets uncompleted; and

WHEREAS, the Board desires to have these roads completed and accepted into the State System of Secondary Highways; and

WHEREAS, the County solicited public bids to complete this work; and

WHEREAS, four bids were received from interested firms with staff determining that Arthur Construction Company was the lowest responsive bidder with a bid of \$193,342.28; and

WHEREAS, the County has collected security funds in the amount of \$153,024 for these improvements; and

WHEREAS, the balance of the funds required in the amount of \$40,320 shall be provided from the Transportation Fund, and

WHEREAS, the County will pursue compensation from the developer for the full amount of County funds expended for completion of these improvements;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that the County Administrator be and he hereby is, authorized to execute a contract with Arthur Construction Company in an amount not to exceed One Hundred Ninety-three Thousand, Three Hundred Forty-three Dollars (\$193,343) for completion of the streets in the Smith Lake Estates subdivision.

BE IT FURTHER RESOLVED that the balance required of \$40,320 in Transportation Funds is authorized for completion of this work.

BE IT STILL FURTHER RESOLVED that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County for eligible expenditures from the Fuels Tax Fund.

Finance and Budget; Authorize Public Hearing to Amend and Reordain Stafford County Code, Chapter 23, Article I, Section 23-11 "Tax on Probate of Wills or Grants of Administration"

Mr. Milde motioned, seconded by Ms. Stimpson that this item be pulled from the Consent Agenda for the purpose of obtaining additional information from the Clerk of the Circuit Court and that this item be deferred until September, 2010.

The Voting Board tally was:

Yea: (7) Milde, Stimpson, Crisp, Dudenhefer, Snellings, Sterling, Woodson

Nay: (0)

<u>Human Resources; Authorize Application for Early Retiree Reinsurance Subsidy</u>

Program

Mr. Sterling asked that this item be pulled from the Consent Agenda. Ms. Tammi Ellis, Executive Director of Organization Development, responded to Board members questions. Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R10-206.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-206 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY FOR THE EARLY RETIREE REINSURANCE SUBSIDY PROGRAM

WHEREAS, the Patient Protection and Affordable Care Act includes an early Retiree Reinsurance Subsidy Program; and

WHEREAS, an application process is required to apply for the Retiree Reinsurance Subsidy; and

WHEREAS, the program provides a reimbursement of 80% for early Retiree health insurance claims between \$15,000 and \$90,000; and

WHEREAS, the reimbursement must be used to reduce premium contributions, co-payments, deductibles, co-insurance or other out-of-pocket costs of all plan participants and not as revenue;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that it be and hereby does authorize the County Administrator to apply for the Early Retirement Reinsurance Program; and

BE IT FURTHER RESOLVED that if a subsidy is received that it be used to reduce premium contributions, co-payments, deductibles, co-insurance or other out-of-pocket costs of all plan participants.

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Human Resources; Authorizes Recruitment

Mr. Sterling asked that this item be pulled from the Consent Agenda for the purpose of

discussing the recruitment request for the Assistant Director of Economic Development

and for a Public Information Officer. Discussion ensued. Ms. Tammi Ellis, Executive

Director of Organizational Development, responded to Board members questions.

Mr. Sterling motioned to defer recruitment of the two non-Utilities positions to January,

2011. There was no second to Mr. Sterling's motion.

Mr. Woodson asked Mr. Romanello for his opinion. Mr. Romanello replied that these

recruitment requests were consistent with prior actions of the Board and stated that all

five positions were necessary and funded in the approved FY2011 budget.

Mr. Sterling motioned, seconded by Mr. Milde, that the three Utilities positions as noted

in proposed Resolution R10-209 be approved and that the Assistant Director of Economic

Development and the Public Information Officer positions be set aside for separate

discussion and vote.

Discussion ensued.

Yea:

The Voting Board tally was:

(7)

Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-209 reads as follows:

A RESOLUTION TO APPROVE RECRUITMENT OF THREE (3) POSITIONS

IN THE DEPARTMENT OF UTILITIES

WHEREAS, funding is available in the FY 2011 budget to fill these vacant

positions; and

WHEREAS, vacancies exist for the following positions:

Cross Connection/Backflow Inspector; Line Crew Worker I; Maintenance

Mechanic II; and

WHEREAS, the positions have been deemed critical to the operation of County services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that the Board be and hereby does approve recruitment for the above mentioned positions.

Mr. Milde motioned, seconded by Mr. Woodson, to approve recruitment for the position of Assistant Economic Development Director as noted in Resolution R10-223.

Discussion ensued.

Mr. Sterling said that he would prefer to wait until the Ten Point Plan was approved and finances were in place to fill this position given today's uncertain economic climate.

Ms. Stimpson said that she appreciated Mr. Sterling's thoughts but was going to support recruitment for the Assistant Economic Director since the position was budgeted for in FY2011 and the need was evident based on her work with Mr. Crisp and Mr. Tim Baroody as a committee member of the Ten Point Plan Committee. Ms. Stimpson added that she sees this position as providing a service to tax payers.

Mr. Milde said that he agrees that government should put an emphasis on Economic Development and that the quickest way out of a recession is with new jobs and businesses. Mr. Milde said that you have to spend money to make money.

Mr. Crisp said that Mr. Baroody and his staff are doing a fine job and that this position is necessary to stay competitive in attracting new businesses to Stafford County. Mr. Sterling said that he shares the desire for new businesses to come to the County but that good schools and safe neighborhoods are what attract businesses, not hiring additional staff.

Mr. Dudenhefer said that he wanted to explain to the public that these are not five new positions but rather positions that are vacant due to resignations and retirements of

existing personnel and that all five positions are budgeted for in the FY2011 approved budget.

The Voting Board tally was:

Yea: (6) Milde, Woodson, Crisp, Dudenhefer, Snellings, Stimpson

Nay: (1) Sterling

Resolution R10-223 reads as follows:

A RESOLUTION TO APPROVE RECRUITMENT OF ONE (1) POSITION IN THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND LEGISLATIVE AFFAIRS

WHEREAS, funding is available in the FY 2011 budget to fill this vacant position; and

WHEREAS, a vacancy exists for the following position:

Assistant Director of Economic Development; and

WHEREAS, the position has been deemed critical to the operation of County services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that the Board be and hereby does approve recruitment for the above mentioned position.

Mr. Milde motioned, seconded by Mr. Crisp, to approve recruitment of the position of Public Information Officer as noted in Resolution R10-224. Discussion ensued.

Mr. Sterling reiterated that the County must save money and has to be aware of a possible future economic decline. Ms. Stimpson stated that Ms. Cathy Riddle is doing a wonderful job and related a conversation she recently had with a local business owner who was experiencing tough financial times. She stated that citizens of the County are looking to the Board to make fiscally sound decisions and that the taxpayers are owed that as well as the Board taking advantage of opportunities to shrink County government whenever possible.

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Mr. Milde stated that adequate staff in the Public Information Office is necessary to keep

citizens informed and up-to-date on current actions and events taking place in the County

and to ensure accuracy in reporting to citizens.

Mr. Crisp said that the Board has to keep in mind that the population of Stafford is

growing and it requires constant attention and on-going effort to keep citizens appraised

of the goings-on in the County. Mr. Crisp and Ms. Riddle were recently on a radio show

which required their being on hand at the studio by 6:40 a.m. and that same day, Ms.

Riddle was still in the office at 6:00 p.m. Mr. Crisp stated that Ms. Riddle was doing a

great job and he did not want to see her reach the point of over-load or burn-out which is

why he would vote to approve the recruitment of the position of Public Information

Officer.

Mr. Snellings inquired who took on the duties of the Public Information office if/when

Ms. Riddle was unavailable. Mr. Romanello replied that he took over the responsibilities

of the Public Information Office when Ms. Riddle was unavailable.

Mr. Dudenhefer reminded the Board that these positions are not newly created jobs but

rather, they are replacements for existing, budgeted, vacancies created when staff

resigned.

The Voting Board tally was:

Yea:

(5) Milde, Woodson, Crisp, Dudenhefer, Snellings,

Nay: (2)

(2) Sterling, Stimpson

Resolution R10-224 reads as follows:

A RESOLUTION TO APPROVE RECRUITMENT OF ONE (1) POSITION IN

COUNTY ADMINISTRATION

WHEREAS, funding is available in the FY 2011 budget to fill this vacant

position; and

WHEREAS, a vacancy exists for the following position:

Public Information Officer; and

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WHEREAS, the position has been deemed critical to the operation of County

services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 6th day of July, 2010, that the Board be and hereby does approve

recruitment for the above mentioned position.

Finance and Budget; Budget and Appropriate Asset Forfeiture Funds

Mr. Sterling motioned, seconded by Mr. Woodson, to defer this item to the August 17th

meeting so that additional information may be provided by the Commonwealth's

Attorney regarding the proposed use of funds.

The Voting Board tally was:

Yea:

(7) Sterling, Woodson, Crisp, Dudenhefer, Milde, Snellings, Stimpson

Nay: (0)

Public Information; Proclamation Recognizing Al Smith for His Years of Service to

Dominion Virginia Power

Mr. Milde asked that this item be pulled from the Consent Agenda as he wished to

recognize Mr. Smith for the assistance that he has provided citizens of Stafford County

during his tenure with Dominion Virginia Power.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Proclamation P10-21.

The Voting Board tally was:

Yea: (7)

Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

<u>Proclamation P10-21 reads as follows:</u>

A PROCLAMATION TO HONOR AND RECOGNIZE AL SMITH FOR HIS TENURE WITH DOMINION VIRGINIA POWER AND

SERVICE TO THE COMMUNITY

WHEREAS, Alexander "Al" Smith Jr., Senior External Affairs Manager for State and Local Affairs in the Central Region for Dominion Virginia Power, retired in April 2010 after a long and successful tenure with Dominion Virginia Power; and

WHEREAS, Al Smith, a native of Westmoreland County, began his career with Dominion Virginia Power as a service representative in 1973, and because of his dependability and strong work ethic, he was continually promoted within Dominion Virginia Power; and

WHEREAS, before he began work at Dominion Virginia Power, Al Smith also proudly served in the United States Army as a rotary wing crew chief, receiving numerous awards and citations for his military service; and

WHEREAS, after his active-duty service, Al Smith continued to demonstrate his love and loyalty to his country by serving for seven years as a member of the Virginia National Guard; and

WHEREAS, throughout his career with Dominion Virginia Power, Al Smith was a consummate professional, provided frequent information on power outages in Stafford through several weather-related emergencies, and working closely with staff to resolve issues in Dominion's service area in Stafford; and

WHEREAS, Al Smith's high standard of quality customer service is greatly valued by Stafford County;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 6th day of July 2010, that Al Smith, former Senior External Affairs for State and Local Affairs in the Central Region for Dominion Virginia Power, is hereby recognized and appreciated for all of his dedicated work and service to the citizens of Stafford County.

<u>Discussion and Presentation on the Scope of Urban Development Area Consultation</u> Services by Deanna Rhodeside and Eric Feldman, Rhodeside & Harwell Consultants, Inc.

Mr. Mike Zuraf, Senior Planner, Department of Planning and Zoning, introduced Ms. Deanna Rhodeside who gave a presentation to the Board on Urban Development Area consultation services being offered by her firm, Rhodeside & Harwell Consultants, Inc. A discussion of Form Based Codes was included in the presentation. Discussion ensued.

Mr. Woodson inquired if the consultants had spoken with CSX about tracks in Stafford County. Ms. Rhodeside responded that they had not yet been in contact with CSX. Mr. Woodson also inquired about the cost of subsidies to taxpayers in the County. Ms. Rhodeside said that at this point, they were looking at transit issues and had not yet

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addressed costs. Mr. Woodson also asked how this firm was selected to which Ms.

Rhodeside replied that it was through a state selection process.

Mr. Sterling talked about interchanges, redevelopment, and train stations and asked if it

made sense to consider one of each. Ms. Rhodeside said that it was a good idea which

may make sense further along in the development/planning stages of the UDA's.

A Resolution to Refer a Text Amendment to the Planning Commission to Amend and

Reordain Stafford County Code, Section 28-124, "Types Permitted in A-2 and R-1

Districts".

Mr. Snellings presented the item asking that the Board approve proposed Resolution

R10-222 allowing a parochial school in the Hartwood District to erect a sign on their

property.

Mr. Milde inquired if the requested change would permit home day care centers to erect

signs in neighborhoods. Mr. Jeff Harvey, Director of Planning and Zoning, replied that

child care centers are covered under a different zoning designation and this change would

not apply.

Mr. Sterling talked about The Crucible and possible unintended consequences of this text

amendment. Ms. Stimpson asked Mr. Harvey to provide her with the number of private

schools in the County. Mr. Dudenhefer asked about zoning categories similar to A-2 that

prohibit signage and inquired why signs are not permitted in A-2 zoning districts.

Mr. Snellings motioned, seconded by Mr. Milde, to defer this item to the August 17, 2010

meeting of the Board.

The Voting Board tally was:

Yea: (7) Snellings, Milde, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

Recess At 3:12 p.m., the Chairman declared a recess.

<u>Call to Order</u> At 3:25 p.m., the Chairman called the meeting back to order.

Comprehensive Plan Update and Status Report

Mr. Mike Zuraf, Ms. Kathy Baker, Mr. Jeff Harvey, and Mr. Joey Hess from the Department of Planning and Zoning, presented this item for discussion and answered Board members questions. Discussion ensued.

Mr. Woodson asked for the names of members of the Planning Commission's Comprehensive Plan Committee.

Mr. Milde talked about growth and asked Mr. Zuraf if they have identified the cost of growth in the County. Mr. Zuraf said that they have established the cost of growth but not the impact. Mr. Dudenhefer noted that in reviewing the Comprehensive Plan, they had not done a financial impact model.

Mr. Sterling said that a summary of tax increases had been removed from the draft Plan.

Mr. Dudenhefer asked for identification of military overlay districts.

Mr. Milde said that the Plan was not recommending down-zoning but allowing for larger lot sizes.

After Mr. Harvey discussed Urban Development Areas (UDA) contained in the Plan, Mr. Woodson asked for clarification of the number of UDAs now being considered. Mr. Harvey said that the number had increased from four in 2009 to nine in the current draft and explained that the former Plan had higher density UDAs than the current Plan.

Mr. Sterling asked about alternate transportation modes. Mr. Harvey said that the revised draft is more oriented towards transportation. Mr. Crisp said that the previous Plan shied away from UDAs, using redevelopment areas instead. Mr. Crisp asked for numbers at

total build-out including by-right and USAs as well as the total commercial area included in the UDAs and how it compares with the 2008 Plan.

In response to Mr. Milde's question, Mr. Harvey replied that UDAs are state mandated.

Mr. Joey Hess answered Board members questions relative to the increase in library square footage per person, stating that the numbers were taken from documents provided by the Central Rappahannock Regional Library (CRRL). Mr. Hess replied "no" in response to Mr. Dudenhefer's questioning if school libraries were included in 1.0 s.f. per resident number used in the revised Plan. Mr. Sterling asked that Mr. Hess identify any communities that currently have 1.0 s.f. per resident. Mr. Dudenhefer asked if that number would be used in the economic analysis. Mr. Mike Neuhard, Deputy County Administrator, replied that the proposed analysis would be made on a series of assumptions found in the Plan.

Mr. Dudenhefer asked staff to arrange a joint committee meeting to discuss what numbers should be used. Mr. Hess noted that he was waiting for results of the 2010 Census to verify population numbers for the County. Ms. Holly Hazard, a member of the Planning Commission's Comprehensive Plan Committee, stated that she thought a joint meeting was a good idea and that it would provide a good opportunity to look at how calculations were made and provide time for a good dialog on the future of Stafford County. Ms. Hazard added that they, too, struggled with the Library numbers.

Mr. Crisp talked about enhancing quality of life rather than merely maintaining the status quo. He talked about the changes in libraries from 20 years ago and how many changes will take place in the next 20 years. Ms. Stimpson said that she echoed Mr. Crisp's remarks about quality of life issues. Mr. Snellings added that you have to be careful when talking about quality of life as not everyone has the same view of what makes for a good quality of life.

Mr. Crisp asked that Planning staff provide land use maps showing both the proposed and existing USA and also including water/sewer lines in the overlay.

Mr. Dudenhefer announced that there will be a special meeting of the Board of Supervisors on Wednesday, July 28, 2010, 6:30 p.m., to discuss the draft Comprehensive Plan.

Draft Comprehensive Plan Fiscal and Economic Impact Analyses

Hearing no objections, the Board moved this to the Closed Meeting agenda.

Update on Purchase of Development Rights Program Funding and Bond Referendum

Mr. Tom Coen, Chairman of the Agricultural/PDR Committee made the presentation and answered Board members questions.

Mr. Snellings left the meeting at 4:50 p.m.

Discuss VRE Fare Evasion Policy

Ms. Stimpson talked about a policy which took effective on 7/1/10, which will have an effect on commuters, citing them with a misdemeanor if they are found riding the train without a validated ticket or with a fraudulent ticket. Ms. Stimpson said that she is in favor of penalizing users of fraudulent tickets but that very often the machines in the terminals used to validate tickets are inoperable and VRE's new policy would cause undue hardship when the real problem is a malfunctioning machine. Ms. Stimpson suggested that conductors be given the opportunity or the responsibility to validate tickets if the machine in the terminal is out of order.

Mr. Milde said that the VRE Operations Board has been dealing with this issue for 18 months or more and that allowing conductors to validate tickets brings with it its own set of problems and is not a feasible solution. Mr. Crisp said that he rode VRE trains and that one solution is for riders to get off trains and validate their tickets at another station where the machine is working.

Ms. Stimpson said that she is concerned that riders who are found in violation of the new policy would have to go to court in Alexandria and that could result in commuters having to lose an entire day's work.

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Mr. Sterling suggested that VRE look into the use of a mobile system. Mr. Milde said

that use of a mobile system had been considered but that it was cost prohibitive and not

all that effective. He further stated that VRE is going to revisit this policy in 6 months.

Discuss Appointment of a Co-Chairperson to the Tri-Jurisdictional Sesquicentennial

Committee

Mr. Harry Crisp agreed to accept this position.

Discuss an Emergency Ordinance to Temporarily Rescind the County's Water

Conservation Rate

Mr. Dudenhefer said that he requested that this item be added to the agenda as a means to

reduce rates for high water usage for homeowners trying to establish newly sodded

lawns.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O10-41.

The Voting Board tally was:

Yea: (6) M

(6) Milde, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay:

(0)

Absent: (1)

Snellings

Ordinance O10-41 reads as follows:

AN EMERGENCY ORDINANCE TO TEMPORARILY SUSPEND THE

WATER CONSERVATION RATE

WHEREAS, the Board of Supervisors adopted Ordinance O08-40 which amended the fees for providing public water and sewer service by adding a rate of \$23.55 per thousand gallons for monthly water usage of 20,000 gallons or more to encourage water

conservation; and

WHEREAS, the Board subsequently adopted Ordinance O10-30 which modified the usage for which the water conservation rate applies to 26,000 gallons or more

effective July 1, 2010; and

WHEREAS, the Board is concerned that the conservation rate is seriously impacting water customers with newly-sodded lawns which have to be watered frequently until they become established to comply with Ordinance O00-88; and

WHEREAS, the Board wishes to further evaluate the need, effectiveness and impact of the conservation rate;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of July, 2010 that the Board be and it hereby does state that the \$23.55 water conservation rate be temporarily suspended for 60 days and that the current rate of \$13.00 per thousand gallons for non-residential water usage through irrigation meters also be applied to all residential water usage of 26,000 gallons or more; and

BE IT FURTHER ORDAINED that, except as otherwise stipulated, the effective date of this emergency ordinance is for all bills issued on or after July 1, 2010.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution R10-221.

The Voting Board tally was:

Yea: (6) Milde, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

Absent: (1) Snellings

Resolution R10-221 reads as follows:

A RESOLUTION TO REFER THE ISSUE OF THE WATER CONSERVATION RATE TO THE UTILITIES COMMISSION FOR FURTHER EVALUATION AND RECOMMENDATION

WHEREAS, the Board is concerned that the current water conservation rate of \$23.55 per thousand gallons for all monthly residential water consumption of 26,000 gallons or more may be adversely and unfairly affecting new homeowners who are required to have sod applied to their lawns and to water it frequently until the lawn becomes established;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July 2010, that the Board be and it hereby does state that the issue of the need for a water conservation rate be referred to the Utilities Commission for further review and subsequent recommendations to the Board at its August 17, 2010 meeting.

Recess At 5:17 p.m., the Chairman declared a recess until 7:00 p.m.

Call to Order At 7:00 p.m., the Chairman called the meeting back to order.

<u>Invocation</u> Mr. Dudenhefer gave the invocation.

<u>Pledge of Allegiance</u> Ms. Stimpson led the Pledge of Allegiance to the Flag of the United States of America.

Presentation of a Proclamation to Recognize and Commend Patrick McGlade for his 2551-mile Run across the United States to Raise Awareness and Funds for Juvenile Rheumatoid Arthritis

Mr. Milde presented the proclamation to Mr. McGlade. Mr. McGlade and his family thanked everyone for their support and made remarks to those present.

<u>Presentation of a Proclamation to Recognize and Commend Al Smith for his Years of Service with Dominion Virginia Power and to Stafford County Citizens</u>

Mr. Milde presented the proclamation to Mr. Smith. Mr. Smith thanked the Board and acknowledged family members who were with him.

Mr. Dudenhefer recognized Bethany Miller, Business Retention and Expansion Manager, for receiving the REDCO award for recommending the highest number of businesses in 2009.

Legislative; Presentations by the Public

Ron Faett - Softball Agreement

Dirk Georgeson - Softball field allocation

Denise Georgeson - Softball field allocation

Steve Staphos - Softball field allocation

Henry Middleton - Softball field allocation

Anthony Lofaro - Softball field allocation

Michael McCay - Softball field allocation

Dan Walters - Softball field allocation

Becky Reed - Comprehensive Plan

Stephanie Brown - Youth Softball

Paul Waldowski - Stormwater pond management

William Mason - Baseball
Robert Dreistadt - Softball
Matt Lafley - Softball

Antoinette Frankie - Benefits of sports and exercise

Nan Rollison - Comprehensive Plan

Holly Hazard - Softball

Youth Softball

Ms. Stimpson thanked representatives from the Stafford Baseball League (SBL) for attending the meeting and described her involvement and having heard when she was first elected that there are no fall sports offered in the County for girls. Ms. Stimpson added that the County is working aggressively to fix the problem of a shortage of fields and is working with the School Division to enable accessibility to fields at the high schools. Ms. Stimpson asked for support from the Board and thanked SBL for their professionalism and assistance.

Mr. Sterling said that his primary concern is the lack of available fields in the County and noted that the new, draft Comprehensive Plan contains 39 new fields, paid for by developers. He added that SBL has done a good job with baseball, that the County is responsible for needed infrastructure and concluded by saying that he supports the SBL Agreement.

Mr. Dudenhefer said that his primary concern is the finite number of fields available even taking into consideration that the County has doubled the number of fields in the past four years and the significant progress that has been made. He thanked those who attended and spoke on behalf of the Senior League and added that the County (and the Board) are thinking of everyone and trying to accommodate as many players as possible but added that the recession has hit hard which means that funds are not currently available to build as many fields as are necessary. Mr. Dudenhefer said that he feels that the SBL Agreement upgrades youth softball and said that he supports the Agreement.

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Mr. Milde mentioned that at the previous Board meeting, he asked about the number of

fields and the possibility of adult leagues being denied usage if the SBL Agreement was

signed. Mr. Tim Baroody, Deputy County Administrator, responded that Parks & Rec

will make it work.

Mr. Woodson said that SBL has an excellent reputation but noted that the only speakers

at the meeting were those affiliated with SBL. He said that he has received a lot of e-

mail from constituents who were against the Agreement. Mr. Woodson added that he

thought that the Agreement was a bad idea and that signing it would not be meeting the

Board's responsibility to tax-payers. Therefore, he would vote against the Agreement.

Mr. Dudenhefer said that the County had other contracts with outside entities that run

programs and offer resources and services that the County would have trouble duplicating

and stated that he would support the Agreement.

Mr. Crisp said that he would support the Agreement however he did have concerns about

the increased cost of SBL's program; he can see the benefits of the SBL Agreement and

feels that the pros outweighed the cons.

Ms. Stimpson motioned, seconded by Mr. Sterling, to adopt proposed Resolution R10-

183.

The Voting Board tally was:

Yea:

(5) Stimpson, Sterling, Crisp, Dudenhefer, Milde

Nay:

(1) Woodson

Absent: (1)

Snellings

Resolution R10-183 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE STAFFORD BASEBALL LEAGUE, INC. TO OPERATE A YOUTH

SOFTBALL PROGRAM

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WHEREAS, the County currently has an agreement with the Stafford Baseball League, Inc., (SBL) to operate a youth recreational baseball program; and

WHEREAS, the SBL has proposed to take over the County's youth softball

program; and

WHEREAS, at a meeting on May 20, 2010, the Parks and Recreation Commission passed a motion to recommend approval of SBL's proposal to operate the youth softball program with the caveat that money be found to light additional softball

fields;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that it be and hereby does authorize the

County Administrator to execute an agreement with the Stafford Baseball League, Inc., to

run the youth softball program.

Consider a Conditional Use Permit at 244 White Oak Road Mr. Jeff Harvey, Director of

Planning and Zoning, gave a presentation and answered Board members questions.

Mr. Crisp noted that the previous entrance to the proposed car wash was in a poor

location but that after working with the developers of the project, the entrance has been

relocated and he would now support the project.

Mr. Crisp motioned, seconded by Mr. Milde, to adopt proposed Resolution R10-99.

The Voting Board tally was:

Yea:

(6) Milde, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay:

(0)

Absent: (1)

Snellings

Resolution R10-99 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP2900084 FOR A CAR WASH

FACILITY IN A B-1, CONVENIENCE COMMERCIAL, ZONING DISTRICT, ON ASSESSOR'S PARCEL 54-59 (PORTION) WITHIN

THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Leming and Healy, P.C., applicant, has submitted application CUP2900084 requesting a Conditional Use Permit to allow a car wash facility in a B-1,

Convenience Commercial, Zoning District, on the above described property; and

WHEREAS, the application has been submitted pursuant to Stafford County Code, Section 28-35, which permits this use in a B-1, Convenience Commercial, Zoning District after a Conditional Use Permit has been issued by the Board; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff, and testimony at the public hearing; and

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a Conditional Use Permit;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2010, that a Conditional Use Permit pursuant to application CUP2900084 be and it hereby is approved with the following conditions:

- 1. This Conditional Use Permit is to allow for a car wash on Assessor's Parcel 54-59 (portion).
- 2. Prior to site plan approval, the property owner shall file a deed (with restriction) to be approved by the County stating that the R-1, Suburban Residential, portion of Assessor's Parcel 54-59, which consists of approximately 1.99 acres, will not be developed and will be preserved as open space to help off-set environmental impacts of development of the B-1, Convenience Commercial, portion of Assessor's Parcel 54-59, which consists of approximately 3.65 acres. No means of vehicular access shall be constructed for the R-1 portion of Assessor's Parcel 54-59.
- 3. Development of the site shall be in general conformance with the General Development Plan (GDP) entitled "White Oak Car Wash", dated January 6, 2009, last revised and sealed June 21, 2010, subject to approval by Virginia Department of Transportation.
- 4. Hours of operations shall be from 8:00 A.M. to 9:00 P.M. Monday through Friday. Saturday hours shall be 9:00 A.M. to 9:00 P.M. Sunday hours shall be 12:00 P.M. to 6:00 P.M.
- 5. The architectural style, materials and colors of any building proposed on this site shall be in substantial conformance with the architectural rendering prepared by J & C Associates entitled White Oak Car Wash at Stafford County and dated January 18, 2010.
- 6. Any proposed building shall have a height no greater than thirty (30) feet.
- 7. A minimum three (3) foot high berm shall be incorporated into the street buffer along the entire frontage of White Oak Road and Southside Drive. The proposed location of this berm shall be in substantial conformance with the berm as shown on the GDP.

- 8. Fifty (50) percent of the required plant units in all transitional buffers shown on the GDP shall consist of evergreens. The landscaping shall be indigenous and drought-resistant plant material to be reviewed and approved with the final site plan.
- 9. The property owner shall construct a six (6) foot tall, sight-tight fence on the proposed three (3) foot high berm on the west side of the site as shown on the GDP. The berm and the fence will extend down the western boundary of the property adjacent to Assessor's Parcel 54-55A.
- 10. The property owner shall dedicate the fifty-five (55) feet of right-of-way from the centerline of White Oak Road for public use in accordance with the June 2005 Transportation Plan which proposes White Oak Road to be widened to a four-lane divided facility. Such dedication shall be made at no cost to VDOT or the County and be made prior to final site plan approval.
- 11. At no time shall customer vehicles be stopped and/or parked on White Oak Road.
- 12. The site plan shall illustrate adequate vehicle stacking for all automatic bays and drive-through facilities.
- 13. There shall be no carnival style flags, banners, pennants, streamers, balloons, figures, or other attention-getting devices used on site, except for grand opening signage as permitted by the zoning ordinance.
- 14. The property owner shall be permitted to construct one (1) monument sign not to exceed eight (8) feet in height nor exceed forty (40) square feet of sign area. This monument sign shall be constructed with materials consistent with and/or complementary to the design and materials of the proposed building, as shown on the architectural rendering prepared by J & C Associates entitled White Oak Car Wash at Stafford County and dated January 18, 2010.
- 15. The use of any outdoor speaker system on the property shall not be audible beyond the property boundaries at any time.
- 16. Outdoor storage or outdoor display of any vehicles or materials including, but not limited to, tires, beverages, vending machines, and motor vehicle parts shall be prohibited.
- 17. Refuse shall be stored within a storage area that is completely screened with a sight-tight fence and/or masonry wall and an opaque gate that matches the building. The gates shall be closed when the refuse containers are not being accessed. These refuse containers shall be emptied at least on a weekly basis and as necessary to prevent odors or infestation by vermin.
- 18. All mechanical equipment shall be screened from adjoining rights-of-way and residential-zoned properties. This includes, but is not limited to, all rooftop mechanical equipment.

- 19. Any freestanding, mounted, or canopy light fixtures shall be designed to direct light down, inward, and away from White Oak Road and the surrounding residential properties. No neon or directional spot lights shall be permitted on the site.
- 20. The stormwater management facilities for this site shall incorporate bio-filtration techniques to the maximum extent practicable.
- 21. The discharge of soaps, solvents, cleaners, detergents, hazardous materials, or flammable substances into the public sewer, storm drainage, or surface waters is strictly prohibited. These materials shall be properly stored, maintained, and disposed of in accordance with all federal, state, and county laws, ordinances, and regulations.
- 22. The property owner shall install an automatic water reclamation system to recover a minimum of seventy (70) percent of the car wash rinse water for reuse. The water reclamation system shall be shown on the final site plan and shall have no direct discharge into the storm sewer of Stafford County.
- 23. This Conditional Use Permit may be revoked or conditions amended by the Board of Supervisors for violation of these conditions or any applicable county, federal, or state codes, laws, or ordinances.

Discuss Support of Hot Lanes

Mr. Sterling talked about the proposed Hot Lanes project and moving the terminus of the Hot Lanes from the end of the existing High Occupancy Vehicle (HOV) Lanes to Garrisonville Road.

Mr. Milde said that he was in support of Hot Lanes and asked if Mr. Sterling knew how Fairfax voted. Mr. Sterling said that while he did not know the exact vote, the project was widely supported. Mr. Dudenhefer inquired if Arlington had been asked to withdraw their objection.

Mr. Sterling distributed copies of a letter from the Honorable Bob McDonnell, Governor, to the Secretary of Transportation, the Honorable Ray Lahood, as well as a letter to Secretary Lahood from Ms. Sharon Bulova and asked the Board to support a letter from Stafford County endorsing adequate financing for the Hot Lanes project.

Mr. Woodson said that he was concerned about not having adequate time to review the letter and therefore could not support it. Ms. Stimpson agreed with what Mr. Woodson said, she would have liked to have had more time and input into it adding that she would abstain from voting due to her role on the PRTC.

Mr. Milde motioned, seconded by Mr. Sterling, to send a letter of support from the Board to Transportation Secretary LaHood regarding financing for the Hot Lanes project.

The Voting Board tally was:

Yea: (4) Milde, Crisp, Dudenhefer, Sterling

Nay: (1) Woodson Abstain: (1) Stimpson Absent: (1) Snellings

<u>Legislative</u>; <u>Closed Meeting At</u> 8:14 p.m. Mr. Crisp motioned, seconded by Mr. Milde to adopt proposed Resolution CM10-16.

The Voting Board tally was:

Yea: (6) Milde, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

Absent: (1) Snellings

Resolution CM10-16 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to consult with counsel and discuss in Closed Meeting (1) Legal Advice regarding New Proffer Payment Legislation Issues; (2) Legal Advice regarding a Utilities project, Falls Run Interceptor Eminent Domain Issues; (3) Legal Advice regarding a Potential Liability Claim at Hope Springs Marina Clubhouse; (4) An Award of Public Contract regarding proposals received for the Economic and Fiscal impact study of the County's Comprehensive Plan, including terms and scope of the contract and evaluation of the offerors, which discussions will affect the County's bargaining position and negotiation strategy; (5) a Personnel Matter regarding Update of County Attorney Position Applicants; and (6) a Personnel Matter regarding Health Insurance Benefits for a Retired County Employee; and

WHEREAS, pursuant to Section 2.2-3711 A.7, A.29, and A.1, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 6th day of July, 2010, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order At 9:07 p.m., the Chairman called the meeting to order

<u>Legislative</u>; <u>Closed Meeting Certification</u> Mr. Milde motioned, seconded by Mr. Crisp to adopt proposed Resolution CM10-16(a).

The Voting Board tally was:

Yea: (6) Milde, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

Absent: (1) Snellings

Resolution CM10-16(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 6, 2010

WHEREAS, the Board has, on this the 6th day of July, 2010 adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 6th day of July, 2010, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Adjournment At 9:10 p.m., the Chairman declared t	he meeting adjourned.
Anthony J. Romanello, ICMA-CM County Administrator	Mark Dudenhefer Chairman